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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WILD HORSE EDUCATION, a non-profit  
corporation; and LAURA LEIGH,  
individually,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
INTERIOR, BUREAU OF LAND  
MANAGEMENT, and JON RABY, Nevada  
State Director of the Bureau of Land  
Management,

Defendants.

CASE NO. 3:23-cv-00372

**DECLARATION OF LAURA LEIGH IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR SUMMARY JUDGMENT**

1 I, Laura Leigh, declare and state as follows:

2 1. I am a U.S. citizen residing in the State of Nevada.

3 2. I am the President and Founder of the Wild Horse Education (WHE), which has  
4 its principal place of business at 216 Lemmon Drive, #316, Reno, NV 89506.

5 3. I personally have been monitoring rangeland and removal protocols in the state of  
6 Nevada and elsewhere for nearly 20 years.

7 4. I am trained and certified in Technical Large Animal Rescue and certified by the  
8 Science and Conservation Center on planning, monitoring and executing population  
9 growth suppression programs for free-roaming wild horses and burros.

10 5. I am BLM-certified in Off-Road Driving and Flight (for purposes of flyover  
11 monitoring and gather operations), and I am trained in the self-assessment tool and  
12 CAWP protocols created by BLM, by BLM in the course of volunteerism.

13 6. In a professional capacity I have worked inside BLM, assisting the agency with  
14 backlogs in monitoring, logging data, field survey backlogs and NEPA document drafting  
15 as a volunteer.

16 7. I have done field monitoring privately and in conjunction with BLM.

17 8. I have been around horses all of my life and been personally involved in  
18 addressing behavioral and physical rehabilitation for abused and neglected horses.

19 9. My love for horses (wild and domestic) has led to a life where financial  
20 remuneration is not a priority, and instead, I devote myself to addressing failures in  
21 systems that leave wild horses vulnerable to mismanagement and slaughter.

22 10. WHE is a national nonprofit corporation dedicated to research, journalism, and  
23 public education concerning the activities and operations of federal and state  
24 management of the free roaming horse and wild burro populations.

25 11. WHE was formed for the purpose of educating the public about the plight of wild  
horses and burros on public land, and in the government warehousing system for these  
animals including sale and final disposition; working to end the inhumane treatment of

1 these heritage animals; encouraging the creation of a sane, scientifically-based  
2 management strategy for these animals in the wild (through management plans);  
3 promoting public adoptions and support for those who adopt; assisting the public to  
4 advocate for the welfare of wild horses and burros.

5 12. WHE frequently submits comments during the NEPA process on BLM proposed  
6 plans, including but not limited to Environmental Assessments (EAs). WHE has  
7 participated at hearings made available for public comment on BLM proposed plans, too.

8 13. On July 21, 2017, BLM issued a Preliminary EA for the Antelope and Triple B  
9 Complexes Gather Plan. On December 21, 2017, BLM issued its Final EA, Finding of No  
10 Significant Impact, and Decision Record. WHE submitted public comments on the  
11 Preliminary EA for the Gather Plan.

12 14. WHE has an interest in ensuring that wild free-roaming horses are treated as an  
13 integral part of public lands, management activities are conducted at the minimal level  
14 feasible, and management activities include development and consideration of land use  
15 plans and herd management area plans.

16 15. WHE has more than 300,000 members and followers, with the majority of that  
17 number being individuals across the United States, and educates and informs these  
18 members and the American public about wild horses and burros through articles,  
19 photographs, videos, and sharing data and other information. WHE's members and  
20 supporters regularly attend and observe wild horse and burro roundups, removals, and  
21 holding pens.

22 16. WHE regularly observes BLM roundups, where BLM allows access, and  
23 continually documents the management practices of government agencies charged with  
24 overseeing wild horses and burros. When allowed access, WHE's observations include  
25 witnessing and documenting roundups at trap locations, as well as at temporary holding  
facilities and off-range corrals.

17. When observing gather operations, WHE members document the events by

1 filming the operations on video, capturing photographs, and writing written reports from  
2 the area designated by BLM for public observers. It is also WHE's standard practice to  
3 make documentation of the wild horse gathers and range data available to the public and  
4 to use this documentation to show and support any concerns we have directly to the  
5 BLM.

6 18. The importance of allowing public access to observe and document BLM's  
7 actions cannot be understated. Where I and WHE have been given meaningful  
8 opportunities to observe roundups and facilities, the information gathered provides  
9 essential insight into BLM's management of wild horses and burros.

10 19. Advocating for the wild horses in the Antelope Complex and Triple B Complex is  
11 a past, present, and future important issue for Wild Horse Education and myself.

12 20. I, and other WHE members and supporters, have attended and observed past wild  
13 horse roundups, removals, and holding facilities in the Antelope Complex and Triple B  
14 Complex. In the future, we intend to continue attending and observing wild horse  
15 roundups, removals, and holding facilities in these Complexes.

16 21. I, and other WHE members and supporters, visit the Antelope Complex and Triple  
17 B Complex for photography, observing wildlife, and other recreational and professional  
18 pursuits. We gain aesthetic enjoyment from observing, attempting to observe, hearing,  
19 seeing evidence of, and studying wild horses. The opportunity to possibly view wild  
20 horses, or signs of horses, in these areas is of significant interest and value to us and  
21 increases our use and enjoyment of Nevada's public lands. I, and other WHE members  
22 and supporters, have engaged in these activities in the past and have specific plans to do  
23 so again in the future.

24 22. I have repeatedly visited the Antelope Complex and Triple B Complex over the  
25 past 18 years and have established personal knowledge of, and relationships with,  
individual wild horses in this area.

23. I experience great enjoyment from watching young foals born in the Antelope

1 Complex and Triple B Complex become curious and strong adult horses who then create  
2 their own families.

3 24. Because of our strong bond with the wild horses in the Triple B and Antelope  
4 Complexes, it is often very emotional to observe wild horses being gathered and captured  
5 from their homes in the Complexes. Both I, and WHE's members and supporters,  
6 experience great sadness when we observe horses we have visited, observed, enjoyed,  
7 and known in the past, be rounded up and lose their freedom. It is also very difficult to  
8 witness gathers in which the horses are injured or in distress, or in which horses are  
9 euthanized during the gather operation. This is especially true when we know the  
10 individual horse or horses in question from time spent visiting, viewing, and enjoying  
11 them in their wild and know that many of these events are preventable if BLM modified  
12 nature and handling methods.

13 25. Between 2018 and 2024, almost 200 horses have died or been euthanized *during*  
14 gather operations in the Antelope Complex and Triple B Complex. We have witnessed  
15 horses die from broken necks, leg fractures, and dehydration. We have witnessed horses  
16 suffering prolonged pain before being put down for acute injuries that occurred as a result  
17 of the gather operations. Losing these horses in such an unnecessary and inhumane  
18 manner has caused me, and WHE's members and supporters, great emotional pain.

19 26. As a result of gathers in these Complexes, I have seen that horse bands and  
20 individuals I have tracked for decades have completely vanished. They have been taken  
21 off-limits to the public facilities. I can no longer see these horses in the wild or captive.  
22 The void I feel as a result now replaces the enjoyment of my public lands that I once felt.

23 27. As I have witnessed, the continued implementation of the Gather Plan will  
24 destroy the herd's viability. Watching the horses in the Complex be decimated has caused  
25 me to feel hopelessness, anger, frustration, and pain.

26 28. In all my years documenting herds in the West and attending roundups, I have  
27 never witnessed such a massive hit to a single area's horse population as is occurring in

1 the Antelope Complex and Triple B Complex, and the loss I have seen on the range is  
2 unprecedented and relentless.

3 29. Since the Gather Plan was adopted, BLM has conducted 14 different gather  
4 operations in the Antelope Complex and Triple B Complex, with a total of more than  
5 14,000 wild horses being permanently removed out of site where Freedom of Information  
6 Act requests have shown that 1 in 9 wild horses captured (12%) died as a result of the  
7 roundup and captivity in the first 6 months.

8 30. In the Final EA, BLM stated that gathers would be conducted through helicopter  
9 driven trapping, as well as bait/water trapping. The agency stated that the “use of bait and  
10 water trapping, though effective in specific areas and circumstances, would not be timely,  
11 cost-effective or practical as the primary or sole gather method for these Complexes.  
12 However, water or bait trapping could be used as a supplementary approach to achieve  
13 the desired goals” of the adopted Gather Plan. Despite this statement, 7 of the 14 gathers  
14 conducted in the Complexes since adoption of the Gather Plan have used bait and water  
15 trapping.

16 31. Despite determining that excess horses existed in the Complexes and removal was  
17 necessary, BLM did not remove the approximate 9,053 excess horses until early to mid-  
18 July of 2023.

19 32. Despite BLM’s NEPA review only addressing the removal of approximately 9,053  
20 excess horses (which was accomplished by July of 2023), BLM has continued to justify  
21 additional roundups under the Gather Plan. To date, 14,219 wild horses have now been  
22 permanently removed from the Complexes.

23 33. In the past, when a new excess determination arises (because the excess  
24 determination in the operative EA has been exceeded), BLM has issued supplemental  
25 documentation for public comment. For example, BLM adopted a gather plan for the  
Adobe Town HMA in 2021 that provided for the removal of approximately 728 excess  
wild horses. In 2025, BLM issued a Determination of NEPA Adequacy to supplement the

1 2021 plan because the agency determined 1,675 wild horses needed to be removed.  
2 Similarly, in 2024, BLM used a Determination of NEPA Adequacy for the Twin Peaks  
3 HMA to determine whether the agency could rely on the analysis in the Twin Peaks HMA  
4 Wild Horse and Burro Gather Plan EA that was adopted in 2019.

5 34. Since issuing the Decision Record for the Antelope Complex and Triple B  
6 Complex Gather Plan, BLM *has not considered any new circumstances* or information in  
7 a supplemental Environmental Assessment, Environmental Impact Statement, or  
8 Determination of NEPA Adequacy, nor have they released any data to demonstrate an  
9 overpopulation exists or where in the nearly 4 million acre gather area of the 2017 plan it  
10 may exist.

11 35. I am not aware of BLM adopting ten-year gather plans until approximately 2012.  
12 Since then, BLM has increasingly relied upon such plans, and they are now the norm,  
13 with BLM relying upon them as a “blank check” for its actions regarding the  
14 maintenance of wild horse and burro populations.

15 36. In the past, BLM has allowed public observation of gathers conducted through the  
16 use of bait and water traps. For example, in 2013, I observed bait and water traps to  
17 gather wild horses in the Deer Run herd of the Pine Nut HMA in Nevada. Attached hereto  
18 as Exhibit 1 is a true and correct copy of a photograph taken during this 2013 observation  
19 at the Pine Nut HMA. Also, in 2014, BLM granted me authorization to observe a bait and  
20 water trap in the Triple B Complex. In the past, BLM also regularly allowed the public  
21 access to observe loading and any temporary holding facilities following gathers that  
22 used bait and water traps.

23 37. In more recent years, BLM has begun denying the public any ability to observe  
24 gathers at bait and water traps. Furthermore, BLM also denies the public the right to  
25 observe temporary holding facilities for horses gathered at bait and water traps.

38. After adopting the Gather Plan in 2017, BLM has denied the public the right to  
observe gathers in the Antelope Complex and Triple B Complex conducted through the

1 use of bait and water traps. For each of these gathers, BLM also has denied the public  
2 (including WHE) access to temporary holding facilities for horses gathered at these bait  
3 and water traps and has denied every request.

4 39. For helicopter driven trapping, BLM generally allows an opportunity for public  
5 observation; however, the agency has no consistent policy that it implements in this  
6 regard. Depending on which BLM office is involved and which BLM staff are involved,  
7 the ability to observe such gathers may or may not be meaningful and can vary  
8 dramatically.

9 40. BLM can impair meaningful observation by (1) placing traps or holding facilities  
10 on private lands, even in locations where traps had been on public land or near public  
11 roads in the past, (2) placing viewing areas on the opposite side of hills where gather  
12 operations are occurring, (3) placing viewing areas miles away from gather operations,  
13 (4) placing trucks and other vehicles in between viewing areas and gather operations, and  
14 (5) limiting the time during which observation can occur.

15 41. "Gather operations" do not only involve the trap, but temporary holding corrals.  
16 Off-range facility where wild horses are held until placed for adoption or sale like Broken  
17 Arrow in Fallon or the new facility in Winnemucca are different. Such facilities are  
18 different from temporary holding facilities, which consist of pens or structures to hold  
19 horses immediately after their gather and removal from trap locations. Usually, horses are  
20 moved from the trap locations to temporary holding facilities within minutes to hours of  
21 capture. The temporary holding facilities are located either within the at-issue HMA or  
22 nearby. At the temporary holding facilities, the condition of the horses is accessed, and  
23 they are cared for until being loaded for removal to longer-term off-range facilities. WHE  
24 finds access to temporary holding facilities is vital to understanding how the gather  
25 operations have impacted the horses' health and how handling and sorting is being done,  
how handling aides are being used or misused, if there is sufficient water and if BLM has  
exceeding the capacity of pens as outlined in CAWP.



1  
2 42. The first helicopter driven trapping in the Triple B Complex pursuant to the 2017  
3 Gather Plan was conducted in 2019. The location of the trap was the same location that  
4 BLM used to gather horses in 2011.

5 43. In 2011, the viewing area for the trap allowed me to see the loading of gathered  
6 horses. I also was able to witness a helicopter pilot strike a wild horse with the skid of the  
7 helicopter. Attached hereto as Exhibit 2 is a true and correct copy of a screenshot taken  
8 from video I took of this incident.

9 44. My ability to view the 2011 gather in the Triple B Complex provided essential  
10 insight into BLM's management of wild horses and burros. Following the helicopter  
11 strike in 2011, I filed a complaint before the Nevada District Court and gained a  
12 temporary restraining order. Subsequently, admitted that "some instances of inappropriate  
13 handling and operational decisions were noted" during the gather. As a result, BLM  
14 recommended a number of changes to gather operations, including but not limited to the  
15 development of guidelines for helicopter pilots to ensure helicopters did not make contact  
16 with any wild horses or burros during a gather.

17 45. When the 2019 gather occurred at the same trap location that I had observed in  
18 2011, I was shocked to discover that the viewing area for the public had been moved. The  
19 new viewing area did not allow a meaningful opportunity to observe any activity in the  
20 trap or the loading of wild horses as it was farther away, on lower ground and obscured  
21 by a hillside; the 2011 viewing area was directly above the trap.

22 46. In 2023, the Antelope Complex-North Wild Horse Gather occurred from  
23 7/9/23-8/20/23. On August 1, 2023, Plaintiffs filed a Request for Temporary Restraining  
24 Order and Preliminary Injunction to stop this gather – in part because of BLM preventing  
25 public access to the gather operations. (ECF 10 through ECF 10-9, ECF 24, ECF 36). At  
issue was BLM's refusal to allow the public access to gather operations at the Spruce  
South Trap or at a "checkerboard pattern" site located on private land near Wells, Nevada.



## **EXHIBIT 1**



Pine Nut HMA 2013 - Bait and Water Trapping

## **EXHIBIT 2**



2011 Triple B Gather - Helicopter Skid Hits Horse